

Application Serial No.: 10/561,226  
Response filed: September 21, 2009

**REMARKS**

Claims 1 and 5 have been amended. All of the amendments are fully supported by the original disclosure of this application in at least the original claims, and therefore, do not constitute the introduction of any new matter into this application.

Claim 5 has been amended as an independent claim to place claim 5 and its dependent claims 6-8 in condition for allowance.

Claims 1-11 remain pending upon entry of the amendments, with claims 1 and 5 being independent.

**Allowable Subject Matter**

Applicants thank the Examiner for indicating that claims 5-8 would be allowable if rewritten in independent form. Accordingly, claim 5 has been rewritten as an independent claim. Claims 6-8 depend from claim 5. Claims 5-8 are now in condition for allowance.

**Rejection of claims 1 and 2 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. 6,980,840 (hereinafter, *Kim et al.*)**

Applicants respectfully traverse this rejection.

With regard to independent claim 1, the Examiner equated the claimed main body to reference element 10 in Figure 15 of *Kim et al.*, and further equated the

claimed sub-body to reference element 20 of Figure 15 of *Kim et al.* The Examiner equated the claimed first magnetic body to reference element 70 in Figure 15 of *Kim et al.*, and stated that reference element 70 of *Kim et al.* has a predetermined polarity which extends along a longitudinal direction, according to Figures 2A, 2B, and column 8, lines 58-63 of *Kim et al.*

The Examiner indicated that the claimed second magnetic body is disclosed by reference number 74 in Figure 15 of *Kim et al.*, which allegedly has a predetermined polarity and faces the first magnetic body (column 8, lines 46-51 and 64-67 of *Kim et al.*).

In this regard, the Examiner will note that the term “predetermined polarity” does not always mean a North-South or South-North polarity, but may also include a series of magnets that have both North-South polarity as well as South-North polarity. As an example, the Examiner is referred to an exemplary embodiment of the present application as illustrated in Figure 4, wherein reference elements 245 and 235b may have the same polarity (North-South or South-North), and the upper and lower reference elements 235a may have a polarity that is opposite to that of reference elements 245 and 235b.

The Examiner indicated that the equated second magnetic body (reference element 74 of *Kim et al.*) faces a portion of the first magnetic body (reference element 70 of *Kim et al.*) when the main body (reference element 10 of *Kim et al.* ) is “opened” and the second magnetic body faces another portion of the first magnetic body when the main body is closed, and cited Figures 5 and 15, wherein reference element 74 allegedly faces “a portion” of reference element 70 when closed, and faces “another portion” when opened.

In this regard, the Examiner will note that in the device of *Kim et al.*, as clearly illustrated in Figure 15 of the drawings thereof, which illustrates the “closed” position of the terminal, it is abundantly clear that when the terminal is in an open position, as illustrated in Figure 5 of *Kim et al.*, the upper magnet piece 70 and the lower magnet piece 74 will not face one another, since the upper and lower magnet pieces 70, 74 only face one another when the terminal is closed, as illustrated in Figure 15 of *Kim et al.*. The Examiner will further note that the purpose of the upper and lower magnet pieces (70, 74) of *Kim et al.* is to attract one another, due to the opposite polarity with regard to one another so that the main body and the sub-body of the terminal are locked in its closed position, as shown in Figures 14 and 15 of *Kim et al.* (column 7, lines 54-62).

The Examiner further indicated that in the terminal of *Kim et al.*, the sub-body slides on the main body by a drawing force exerted between the second magnetic body and one of the portions of the first magnetic body, as allegedly shown in Figure 15, wherein the Examiner indicated that the effect of a magnetic drawing force is inherent since the magnetic bodies 70 and 74 of *Kim et al.* are permanent magnets which induce the magnetic force between reference number 70 and 74, as the sub-body and the main body slide on one another, and further cited column 8, lines 44-45, 56-57 and column 9, lines 1-13 for support.

However, in this regard, the Examiner will note that in the device *Kim et al.*, as clearly illustrated in Figures 14 and 15 thereof, the drawer cover 20 (equated by the Examiner to the claimed sub-body) is released from the main body 10 (equated by the Examiner to the claimed main body) when press button 66 or 76 is pressed or slid, thereby increasing the distance between the metal piece 60 and the magnet

piece 64, as shown in Figure 14, or the upper magnet piece 70 and the lower magnet piece 74, thus breaking or releasing the attracting magnetic forces there between and permitting the drawer cover 20 to move freely away from the magnet piece 64 or 74 of the main body 10, as clearly illustrated in Figures 14 and 15 of *Kim et al.* (the Examiner is also referred to column 7, lines 44-50 and lines 54-62 of *Kim et al.*).

Hence, in *Kim et al.*, once the press buttons 66 or 76 are pressed or slid, in order to compress spring 62 or 72, as shown in Figures 14 and 15 of *Kim et al.* the attracting magnetic forces exerted between the upper and lower magnets are released, and the drawer cover 20 of *Kim et al.* is free to slide along the automatic moving member of the drawer cover 20 which includes a spring-type pinion gear 34 mounted at the side of the main body 10 and a rack gear 36 fixedly and vertically mounted at one side of the drawer cover 20 so as to be in mesh with the pinion gear 34 (See Figure 10, column 6, lines 41-46).

In contrast, in an exemplary embodiment of the present application, as shown in Figure 6, reference elements 235b and 245 directly face one another when the terminal is in a partially opened position, and since reference elements 235b and 245 have the same magnetic polarity, the two magnets or magnet pieces will repel one another, thereby a drawing force is exerted between the second magnetic body (as exemplified by reference element 245) and one of the portions of the first magnetic body (as exemplified by reference element 235b).

Applicants note that the reference to *Kim et al.* does not disclose all of the claimed elements of independent claim 1, as discussed above.

In addition, as exemplified in Figures 4 and 6 of the present application, due to the particular configuration of the different and same polarities (e.g. reference elements 235b and 245 having the same polarity; upper and lower reference elements (235a) having a polarity opposite to reference elements 235b and 245), there will be drawing forces (repelling and attracting) that are exerted during movement between the upper and lower assemblies of the terminal, as illustrated in Figures 4 and 6.

Hence, the reference to *Kim et al.* does not disclose all of the claimed elements of independent claim 1. Withdrawal of this rejection is requested.

With regard to claim 2, which depends from claim 1, the Examiner further indicated that *Kim et al.* discloses the specific elements of dependent claim 2. However, it is noted that in the reference to *Kim et al.*, the upper magnet piece 70 which has been equated to the first magnetic body (as exemplified by reference element 235 in Figure 6 of the present application) does not include a central portion that exerts a repelling force in relation to the magnetic body of the second magnetic body module, since the polarity of the upper magnet piece 70 of *Kim et al.* is opposite to the polarity of the lower magnet piece 74.

In other words, *Kim et al.* does not disclose a central portion (as exemplified by reference element 235b, shown in Figure 6 of the application), wherein the central portion 235b and the second magnetic body 245 are of the same magnetic polarity, thus repelling one another when facing one another, which exerts a repelling force in relation to the reference elements. Hence, the specific elements of dependent claim 2 are not disclosed, taught, suggested or predicted by *Kim et al.*

Hence, withdrawal of the rejection of claims 1 and 2 is requested.

**Rejection of claims 3 and 4 under 35 U.S.C. § 103 as allegedly being unpatentable over *Kim et al.* in view of U.S. 2002/0137476 A1 (hereinafter, *Shin*)**

Applicants respectfully traverse this rejection.

With regard to claims 3 and 4 that depend from claim 1, the Examiner acknowledged that the reference to *Kim et al.* does not disclose the specific elements of dependent claims 3 and 4. The reference to *Shin* has been cited for the sole purpose of allegedly teaching the specific elements of dependent claims 3 and 4. *Shin* does not cure the deficiencies of the base reference to *Kim et al.*, and therefore further modification of the base reference to *Kim et al.* according to *Shin* cannot teach, disclose, suggest or predict all of the elements of independent claim 1, from which claims 3 and 4 depend. Hence, withdrawal of this rejection is requested.

**Rejection of claim 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Kim* in view of U.S. 6,947,777 (hereinafter, *Crum*)**

Applicants respectfully traverse this rejection.

With regard to claim 9 that depends from claim 1, the Examiner acknowledged that the reference to *Kim et al.* does not disclose the specific elements of dependent claim 9. The reference to *Crum* has been cited for the sole purpose of allegedly teaching the specific elements of dependent claim 9. *Crum* does not cure the deficiencies of the base reference to *Kim et al.*, and therefore further modification of the base reference to *Kim et al.* according to *Crum* cannot

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teach, disclose, suggest or predict all of the elements of independent claim 1, from which claim 9 depends. Hence, withdrawal of this rejection is requested.

**Rejection of claim 10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kim in view of Crum and Shin**

Applicants respectfully traverse this rejection.

With regard to claim 10 that depends from claim 1, the Examiner acknowledged that the reference to *Kim et al.* as modified by *Crum* does not disclose the specific elements of dependent claim 10. The reference to *Shin* has been cited for the sole purpose of allegedly teaching the specific elements of dependent claim 10. *Shin* does not cure the deficiencies of the base reference to *Kim et al.* as modified by *Crum*, and therefore further modification of the base reference to *Kim et al.*, as modified by *Crum*, according to *Shin* cannot teach, disclose, suggest or predict all of the elements of independent claim 1, from which claim 10 depends. Hence, withdrawal of this rejection is requested.

**Rejection of claim 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kim in view of Crum and U.S. 6,136,131 (hereinafter, Sosnowski)**

Applicants respectfully traverse this rejection.

With regard to claim 11 that depends from claim 1, the Examiner acknowledged that the reference to *Kim et al.* as modified by *Crum* does not disclose the specific elements of dependent claim 11. The reference to *Sosnowski* has been cited for the sole purpose of allegedly teaching the specific elements of

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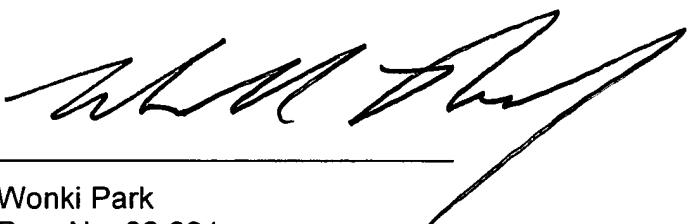
dependent claim 11. **Sosnowski** does not cure the deficiencies of the base reference to **Kim et al.** as modified by **Crum**, and therefore further modification of the base reference to **Kim et al.**, as modified by **Crum**, according to **Sosnowski** cannot teach, disclose, suggest or predict all of the elements of independent claim 1, from which claim 11 depends. Hence, withdrawal of this rejection is requested.

### Conclusion

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below. The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper to Deposit Account No. 18-2220.

Respectfully submitted,

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Wonki Park  
Reg. No. 38,991  
Attorney for Applicants

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036-2680  
Main: (202) 659-9076  
Direct: (202) 530-4470